

## BCI 2010 TAC TEST

If you are TAC who needs to take the TAC Test in 2010, don't forget that the due date is August 5, 2010. TACs who do not have all of their tests completed by that date will risk losing their UCJIS access.

If you are not sure if you need to test this year, please use the REPT transaction on UCJIS to check your test date. (If your date in the "TRAINING EXPIRES" column is 8/6/2010, you have to test this year!)

You must test on all files that your agency has access to. A passing grade is 80%. If you do not get 80% on a section, you will be directed to the make-up section for that test.

An e-mail was sent on June 7, 2010 to the TACs who need to test this year. Links to the tests were included in the e-mail. The tests can also be found on the TAC web site. (If you didn't get the e-mail that doesn't necessarily mean you do not have to test – many of the e-mails we have on file are not valid e-mail addresses!)

Please let your Field Services representative know if you have any questions.

### RUNNING YOUR OWN DRIVER LICENSE - DON'T!

Just a reminder that running your own driver license, even for testing or training purposes, violates UCJIS policy.

BCI has learned that a software vendor is telling UCJIS operators that it is okay for them to run their own driver license for testing purposes. This is not correct! For testing purposes run Yogi Bear's license. There are also dozens of test records on the Utah DLD system with the last name of Dtest that can be run for testing purposes. (Just run a driver license inquiry on "Dtest, A" and you'll see what we mean.)

### BCI FEES INCREASE & LAWS CHANGE

Recent legislative changes increased many of the fees BCI charges the public or qualifying entities for various services. These fee increases took effect on June 1, 2010. Please make sure individuals at your agency that work with the public know this new information. The services and the new fees include:

Criminal History Record Request (Right of Access)  
-- \$15.00

Fingerprinting Services for the Public -- \$15.00

Photo Services (for CFP applications) -- \$15.00

Application for Certificate of Eligibility  
(Expungement) -- \$25.00

Certificate of Eligibility for Conviction  
(Expungement) -- \$56.00

Name and DOB Criminal History Background  
Check for Qualifying Entities -- \$15.00

Fingerprint-based Criminal History Background  
Check for Qualifying Entities -- \$20.00

10-print applicant cards for UCJIS logon purposes  
will continue to be free of charge.

For more information about obtaining a copies of criminal records (for the public and qualifying entities) please see BCI's web site at <http://publicsafety.utah.gov/bci/crimrecords.html>. For further information about expungements, please see <http://publicsafety.utah.gov/bci/expunge.html>.

Many changes have been made to the expungement laws. **Please make sure you are giving the public the forms that are currently on BCI's public web site.** To avoid confusion, please destroy old forms you may still have on hand.

## ADDING NON-USERS TO THE UCJIS SYSTEM

In BCI's most recent FBI audit, the FBI found that BCI, and local agencies were not maintaining adequate records and documentation on non-UCJIS users and their background check status.

Remember, FBI policy requires fingerprint background checks on all **unsupervised** support personnel. These fingerprint background checks must be done on 10-print applicant cards. (Getting a Right of Access at BCI does not count as a fingerprint background check.) Background checks performed by private entities (i.e., the agency employing the support personnel) also do not count as fingerprint background checks.

A name check on the four required UCJIS files (UCCH, SWW, III, and NCIC QW) must be performed by a criminal justice agency. **Also, the fingerprint card must be mailed to BCI in the same envelope as the [Fingerprint Submission Form](#).** (Use the Fingerprint Submission Form dated May 2010.) Also, please do not submit a "Logon Activation Form" for individuals who will not have a UCJIS logon.

The "non-user" must then be added to the UCJIS system using the ADD transaction. The ADD transaction has been updated so that you may indicate if the person being added to the system will be a UCJIS operator or a non-user.

If you (or your administration) are wondering why such fingerprint background checks must take place, refer to the CJIS Security Policy, available on the TAC web site. Particularly, refer to section 4.5 (Personnel Security) which states, in part, "Support personnel, contractors, and custodial workers who access computer terminal areas shall be subject to a state of residency and national fingerprint-based record check, unless these individuals are escorted by authorized personnel at all times."

## OUTDATED FORMS = DELAYS

Our Help Desk reports that many TACs are still sending in out dated [Fingerprint Submission](#) or [Logon Activation](#) forms. Some TACs are still sending forms from 2005!

Our Help Desk WILL return these outdated forms to you and ask you to start over. Always use the current forms available on the TAC web site.

## OVERLOOKED VIN NUMBER A VALUABLE CLUE

The suspect in May's failed attempt to set off a bomb in New York's Times Square forgot to remove one VIN number from the vehicle, which may have been his downfall.

The May 4, 2010 *New York Times* states: "Hours later, after [authorities] towed the car to a Queens forensic garage, they found an even more important clue when a police Auto Crime Unit detective crawled underneath the vehicle. 'The break in this case took place when a New York City detective was able to go under the vehicle and get the hidden VIN number,' [New York police commissioner, Raymond W.] Kelly said at a news conference in Washington on Tuesday. 'This identified the owner of record, who in turn, as we know, sold it to the suspect.'"

This story highlights the fact that even the smallest item or identifier can solve a case. So remember to always pack your NCIC entries and statewide warrants with all information possible, and include all identifiers when submitting criminal fingerprint cards and citations to BCI. This story also segues neatly to the next topic...

## NATIONAL INSURANCE CRIME BUREAU (NICB) WEB SITE

The National Insurance Crime Bureau's (NICB) web site, <https://www.nicb.org/> provides valuable information for both the public and law enforcement regarding vehicle theft, property theft, and fraud awareness.

The web site allows the user to run a vehicle by VIN to see if it's



ever been declared as salvaged. Law enforcement agencies can also obtain copies of NICB's Vehicle Identification Manual to learn more about how Vehicle Identification Numbers are constructed, and where VINs can be located on a vehicle. (See above.) The site also includes audio/visual materials for training, as well as a calendar of upcoming training sessions and materials for law enforcement wishing to learn more about property crimes and fraud.

## OTNs - CHECK DIGIT WAIVER

When the Utah Criminal History (CH) system was re-written quite some time ago, requirements were put in place to ensure the integrity of the database and to enable to successful matching of dispositions to arrests. One of the requirements was the establishment of the Offense Tracking Number (OTN – associated with 10-print fingerprint cards) and Citation Number (associated with single-print citations). The OTN and citation number are unique numbers assigned to each arrest or citation. These two numbers are critical in matching up dispositions to an arrest event. To ensure the integrity of these numbers, we appended a check digit to the end of both. In theory, having a check digit would provide feedback to those doing data entry, ensuring they entered a valid number.

### Problem:

In practice, the check digit on the citation number has proved to be troublesome to implement. Citations are printed by each individual law enforcement agency. There is additional cost associated with attaching the check digit to the number. In addition, as we have moved into electronic citations, a vendor was unable to implement the full 10 character citation number without a great deal of work and expense. To reduce/eliminate the expense to the vendor and the vendor's agencies, BCI waived the requirement of a check digit for that vendor's agencies' electronic citation numbers.

### Solution:

In an effort to eliminate the costs associated with adding a check digit to the Citation Number, and to level the vendor playing field, we are eliminating the requirement that citation numbers need to have a check digit.

Note: We are NOT lifting the requirement for 10-print OTNs.

To ensure that citation numbers and OTNs are unique, agencies **MUST USE** the UCJIS OTN transaction to retrieve a block of citation numbers for use on citations, whether electronic or hardcopy, and OTNs for 10-print cards. The OTN transaction can be used on the UCJIS web front or via the web service provided via the UCJIS web services transactions.

## CONGRATULATIONS!

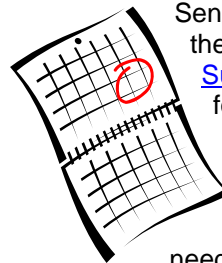
BCI wishes to say "Congratulations and Thank You!" to the 2010 TAC of the Year, Sgt. Del Schlosser of the Iron County Sheriff's Office. Sgt.



Scholsser has provided invaluable assistance to BCI as a member of the TAC Advisory Board, and provides thorough and comprehensive testing on new UCJIS programs. He is the TAC for several agencies in the Cedar City area, and we can tell he is doing an excellent job training his operators by the high quality of his BCI compliance audits.

## BIENNIAL BACKGROUND CHECKS

If your agency does not have access to the four required files (UCCH, SWW, III, NCIC QW), make sure you're contacting BCI to help perform the biennial background checks on UCJIS users.



Send the information on the user(s) to the Help Desk on the [Fingerprint Submission Form](#). Indicate on the form that it is a name only biennial re-certification. **BCI does not automatically run these checks on operators every two years.**

It is up to the TAC to remind us who needs to be checked and when. If you are not asking BCI to run these biennial checks, *they are not being done.*

## RIGHT OF ACCESS QUESTIONS

If BCI has granted your agency permission to run "Rights of Access" for the public, please note the following:

### Running Driver License Information for Right of Access Purposes:

If a Utah driver license or ID card is used to verify identity of the person applying for a Right of Access, UCJIS can be used to run the individual's drivers license or ID **ONLY** to verify the status of the license (revoked, expired, denied, etc.) Driver license information must never be disseminated to the person of record. Driving history information must NOT be used in any way for Right of Access purposes. Agencies, such as courts and attorneys, may not use the history information provided in their

driving license transaction. The driver license transaction for these agencies must only be used to verify the status of the ID presented. Agencies are not required to run driver license to verify validity, but if they chose to do so, the guidelines above MUST be followed.

### **Who Needs to Physically Check the Identification of the Applicant:**

Questions have arisen concerning who should verify the identity of the applicant. Does it have to be the person actually running the Right of Access, or can another person verify the identity?

Another individual, other than the person running the Right of Access, such as a Parks and Recreation employee, or HR personnel, may check the driver license or other form of valid government issued photo ID. Remember, *driving privilege cards cannot be accepted as a valid form of ID.*

The individual verifying the identity of the applicant for the Right of Access must fill out a section on the application indicating the type of ID used, the number on the identification, and the name on the identification. That individual must then sign the application to confirm that they performed the ID check. Agencies that currently do not have a place for the above information on their Right of Access application will need to modify their application to include this data.

Ill and Nlets files can never be run for Right of Access purposes.

Any other questions or concerns should be directed to Holly Andrews at [handrews@utah.gov](mailto:handrews@utah.gov).

## **UCR / NIBRS**

### **UPDATES TO CRIME REPORTING**

#### **NIBRS Agencies**

Law Enforcement agencies that submit their crime statistics data to BCI via NIBRS now have new property and location codes. The new information is located in an FBI publication "NIBRS Addendum for Submitting Additional Location and Property Data Values", which is located at this link: [http://www.fbi.gov/ucr/nibrs/location\\_addendum.htm](http://www.fbi.gov/ucr/nibrs/location_addendum.htm) This publication defines the new NIBRS data values, entry requirements, error messages, and programming changes to collect the additional data values for the location a property data elements. BCI is able to accept these new codes.

### **Summary Reporting Agencies**

The new location codes for NIBRS will also be applicable to the Hate Crime Incident Reports. If the hate crime occurred in an area that is covered by the new location codes, write in the new code in the appropriate box. If you have any questions contact Della Miller at 801 965-4454 or [DELLAMILLER@utah.gov](mailto:DELLAMILLER@utah.gov).

FYI – Beginning January 2011, the national UCR Program will discontinue the collection of arrest data for the category of runaways, and the category will be excluded from all tables in the annual publication Crime in the United States.

The 2009 Preliminary Crime in Utah Report will be published in July 2010. Be looking for a letter or e-mail with links to view the report prior to the release to the public.

## **MISSING PERSONS**

### **ENTERING MISSING JUVENILES ONTO NCIC - IT'S THE LAW!**

If your agency is aware of an individual under the age of 21 who has gone missing from your jurisdiction, it is the law that you enter that individual into NCIC. Some reminders of Federal reporting requirements for all law enforcement.

Nov 29, 1990:

Signed by President.

Became Public Law No: 101-647

Title XXXVII - National Child Search Assistance Act of 1990 - Requires each Federal, State, and local law enforcement agency to report each case of a missing child under age 18 to the National Crime Information Center (NCIC) of the Department of Justice. Directs the Attorney General to publish an annual summary of such reports.

Requires States reporting under this Act to: (1) ensure that no State law enforcement agency establishes a policy which requires a waiting period before accepting a missing child or unidentified person report; (2) provide that each such report and all necessary and available information is entered into the State law enforcement system and the NCIC computer networks and made available to the Missing



Children Information Clearinghouse of other designated agency within the State; and (3) require the law enforcement agency that entered the report into the NCIC to verify and update such record with any additional information (including, where available, medical and dental records), institute or assist with appropriate search and investigative procedures, and maintain close liaison with the National Center for Missing and Exploited Children for the exchange of information and technical assistance in the missing children cases.

#### SEC. 204. SUZANNE'S LAW.

Section 3701(a) of the Crime Control Act of 1990 (42 U.S.C. 5779(a)) is amended by striking 'age of 18' and inserting 'age of 21'.

Suzanne's Law is section 204 of PL 108-21, the Protect Act, signed by President Bush in 2003. Suzanne's Law amends Section 3701 (a) of the Crime Control Act of 1990 so that there is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of twenty-one and reports the missing person to the National Crime Information Center of the Department of Justice.

#### SEC. 3701. REPORTING REQUIREMENT.

(a) IN GENERAL- Each Federal, State, and local law enforcement agency shall report each case of a missing child under the age of 18 21 reported to such agency to the National Crime Information Center of the Department of Justice.

(b) GUIDELINES- The Attorney General may establish guidelines for the collection of such reports including procedures for carrying out the purposes of this Act.

#### Crime Control Act

The Adam Walsh Child Protection Safety Act amended the Protect Act Sec. 5780. State requirements



Each State reporting under the provisions of this section and section 5779 of this title shall—

(1) ensure that no law enforcement agency within the State establishes or maintains any policy that requires the observance of any waiting period

before accepting a missing child or unidentified person report;

(2) Ensure that no law enforcement agency within the state establishes or maintains any policy that requires the removal of a missing person entry from its state law enforcement system or the National Crime Information Center computer database based solely on the age of the person; and

(3) provide that each such report and all necessary and available information, which, with respect to each missing child report, shall include--

- (A) the name, date of birth, sex, race, height, weight, and eye and hair color of the child;
- (B) the date and location of the last known contact with the child; and
- (C) the category under which the child is reported missing;

is entered ~~immediately~~ within 2 hours into the State law enforcement system and the National Crime Information Center computer networks and made available to the Missing Children Information Clearinghouse within the State or other agency designated within the State to receive such reports; and

(4) provide that after receiving reports as provided in paragraph (2), the law enforcement agency that entered the report into the National Crime Information Center shall—

- (A) no later than 60 days after the original entry of the record into the State law enforcement system and National Crime Information Center computer networks, verify and update such record with any additional information, including, where available, medical and dental records;
- (B) institute or assist with appropriate search and investigative procedures; and
- (C) maintain close liaison with the National Center for Missing and Exploited Children for the exchange of information and technical assistance in the missing children cases.

Don't forget – the first three hours after a child goes missing are the most critical. Every minute that goes by without the NCIC Entry could literally be the difference between life and death.

FORWARD NEWS ITEMS TO: BCI, FIELD SERVICES, 3888 W 5400 S, SALT LAKE CITY UT 84118

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